

### **III. REMARKS**

1. Claims 2-6, 9 and 10 are amended. Claim 1 is cancelled without prejudice. Claims 17 and 18 are new.

2. Claims 2-18 are not anticipated by Booth under 35 U.S.C. §102(b).

The claims are directed to a method for requesting information by means of a mobile station which is associated with a mobile radio network. This is not disclosed or suggested by Booth (W/O 98/54682).

In Applicant's invention, for requesting information that is dependent on movement data of a mobile station, location information related with base stations of the mobile radio network which successively supply the mobile station is stored in a memory of the mobile station.

When a user of the mobile station, e.g. the driver of a vehicle, intends to request specific information dependent on movement data of the vehicle, i.e. of the mobile station carried by him/her in the vehicle during driving, either location information is transmitted to a central station for determining movement data from the location information transmitted in the central station or movement data calculated in the mobile station is transmitted to the central station. In the central station, e.g. the central processing unit of a service provider, the movement data calculated or received is used to select information depending thereon. Thereafter, the selected information is transmitted to the mobile station in accordance with the request.

Thus, the present invention is a new method for requesting information, in particular information depending on movement data that simplifies determining movement data without the need of a satellite based positioning system (GPS) since only the terrestrial components of the mobile radio network are used to get location information. Further, since the location information is stored within the mobile station and only transmitted to the central station when necessary for requesting information depending on the movement data, there is no need at the central station to track a plurality of different mobile stations of customers or subscribers of a certain information providing service and for storing the corresponding location information at the central station site.

Consequently, the means and efforts for obtaining movement data of individual mobile stations can be significantly reduced at the central station site. Furthermore, the privacy of movement data information of the individual users or subscribers of their service can be protected reliably since movement data or location information is only transmitted to the central station in case information is requested.

Booth completely fails to disclose or suggest such a method for requesting information. Booth relies on geolocating and tracking at least one vehicle carrying a mobile transmitter (Abstract).

In particular, Booth discloses a system for providing custom travel-related information to a vehicle wherein the position of the vehicle is passively determined from the RF transmission of a cellular phone located in the vehicle by use of geolocator for passively geolocating the mobile transmitter (i.e. page 9, lines 3 to 10, in particular line 6). Thereafter, travel related information is selected from a map database applying a selection

algorithm based on a reported location of the vehicle to produce the custom travel-related information and then the custom travel-related information is delivered to the mobile receiver, i.e. the cellular phone by means of a delivery system.

Thus, in contrast to the present invention, the position of a vehicle or a subscriber is solely determined at the central side by means of a geolocator (e.g. also Figure 36 in connection with the description on page 34, line 4 to page 35, line 8).

According to page 9, lines 18 to 28, the system disclosed by Booth provides a way for generating map database information automatically and for providing custom travel-related information to remote users either carried by a vehicle or not carried by a vehicle. In each aspect, the system is centralized in the sense that it is operated at one or more central locations.

In Applicant's invention however, as recited in claim 17, the location information of the base stations is supplied to the mobile station as it moves. The sequence of location information is transmitted to the central location. The movement of the mobile station is calculated based on the sequence location, which is not disclosed or suggested by Booth.

In addition, it should be noted that none of the remaining text passages the Examiner relates to discloses or suggests the present invention as defined in claims 17 and 18.

In detail, according to page 4, lines 19 to 22, it is known to determine the approximate location of a cellular phone by noting the cell site in which the phone is currently operating.

According to page 7, lines 25 to 28, it is just known to interconnect a central computer with individual rate of travel

sensors that are related with certain route segments so that the central computer has continuing access to instant rates of travel for all of the route segments. Here, nothing is disclosed for using a mobile phone for getting location information of its user.

According to page 8, lines 25 to 27, it is known to process the vehicle geolocation data to obtain a tracking sequence. A way of getting a tracking sequence is also described on page 15, lines 25 to 28.

Page 31, lines 15 to 22, suggests to determine the approximate location of a vehicle by identifying the cell site to which the vehicles cellular phone is currently assigned.

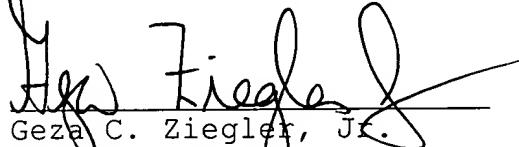
On page 43, lines 16 to 23, it is indicated that a third party user can obtain travel-related information from systems as taught by Booth. However, that is not Applicant's invention.

Thus, the present invention is neither disclosed nor suggested by Booth and consequently it is believed that the methods as defined in claims 17 and 18 are not obvious in view of the cited prior art.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$86 is enclosed for one additional independent claim. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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15 March 2004

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